

Sec.

- (e) Printing or publication of notice or advertisement indicating preference, limitation, etc.
 - (f) Lawful practices; age an occupational qualification; other reasonable factors; laws of foreign workplace; seniority system; employee benefit plans; discharge or discipline for good cause.
 - (g) Repealed.
 - (h) Practices of foreign corporations controlled by American employers; foreign employers not controlled by American employers; factors determining control.
 - (i) Employee pension benefit plans; cessation or reduction of benefit accrual or of allocation to employee account; distribution of benefits after attainment of normal retirement age; compliance; highly compensated employees.
 - (j) Omitted.
 - (k) Seniority system or employee benefit plan; compliance.
 - (l) Lawful practices; minimum age as condition of eligibility for retirement benefits; deductions from severance pay; reduction of long-term disability benefits.
624. Study by Secretary of Labor; reports to President and Congress; scope of study; implementation of study; transmittal date of reports.
625. Administration.
- (a) Delegation of functions; appointment of personnel; technical assistance.
 - (b) Cooperation with other agencies, employers, labor organizations, and employment agencies.
626. Recordkeeping, investigation, and enforcement.
- (a) Attendance of witnesses; investigations, inspections, records, and homework regulations.
 - (b) Enforcement; prohibition of age discrimination under fair labor standards; unpaid minimum wages and unpaid overtime compensation; liquidated damages; judicial relief; conciliation, conference, and persuasion.
 - (c) Civil actions; persons aggrieved; jurisdiction; judicial relief; termination of individual action upon commencement of action by Commission; jury trial.
 - (d) Filing of charge with Commission; timeliness; conciliation, conference, and persuasion.
 - (e) Reliance on administrative rulings; notice of dismissal or termination; civil action after receipt of notice.
 - (f) Waiver.
627. Notices to be posted.
628. Rules and regulations; exemptions.
629. Criminal penalties.
630. Definitions.
631. Age limits.
- (a) Individuals at least 40 years of age.
 - (b) Employees or applicants for employment in Federal Government.
 - (c) Bona fide executives or high policy-makers.
632. Annual report to Congress.
633. Federal-State relationship.
- (a) Federal action superseding State action.
 - (b) Limitation of Federal action upon commencement of State proceedings.

Sec.

- 633a. Nondiscrimination on account of age in Federal Government employment.
- (a) Federal agencies affected.
 - (b) Enforcement by Equal Employment Opportunity Commission and by Librarian of Congress in the Library of Congress; remedies; rules, regulations, orders, and instructions of Commission; compliance by Federal agencies; powers and duties of Commission; notification of final action on complaint of discrimination; exemptions: bona fide occupational qualification.
 - (c) Civil actions; jurisdiction; relief.
 - (d) Notice to Commission; time of notice; Commission notification of prospective defendants; Commission elimination of unlawful practices.
 - (e) Duty of Government agency or official.
 - (f) Applicability of statutory provisions to personnel action of Federal departments, etc.
 - (g) Study and report to President and Congress by Equal Employment Opportunity Commission; scope.
634. Authorization of appropriations.

CROSS REFERENCES

Age discrimination in federally assisted programs, see section 6101 et seq. of Title 42, The Public Health and Welfare.

Civil rights, Federally assisted programs, see section 2000d et seq. of Title 42.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 42 sections 3012, 3056a, 6103.

§ 621. Congressional statement of findings and purpose

(a) The Congress hereby finds and declares that—

(1) in the face of rising productivity and affluence, older workers find themselves disadvantaged in their efforts to retain employment, and especially to regain employment when displaced from jobs;

(2) the setting of arbitrary age limits regardless of potential for job performance has become a common practice, and certain otherwise desirable practices may work to the disadvantage of older persons;

(3) the incidence of unemployment, especially long-term unemployment with resultant deterioration of skill, morale, and employer acceptability is, relative to the younger ages, high among older workers; their numbers are great and growing; and their employment problems grave;

(4) the existence in industries affecting commerce, of arbitrary discrimination in employment because of age, burdens commerce and the free flow of goods in commerce.

(b) It is therefore the purpose of this chapter to promote employment of older persons based on their ability rather than age; to prohibit arbitrary age discrimination in employment; to help employers and workers find ways of meeting problems arising from the impact of age on employment.

(Pub. L. 90-202, § 2, Dec. 15, 1967, 81 Stat. 602.)